

1) IONEL SAMUEL DUMITRASCU,

Petitioner/Plaintiff,

-VS-

1) CRISTINA MIRELA DUMITRASCU,

Respondent/Defendant.

Case No. 15-CV-561-JED-FHM

**NOTICE OF MATTERS SUBMITTED FOR DECISION
FOR MORE THAN NINETY (90) DAYS**

COMES NOW Petitioner/Plaintiff, Ionel Samuel Dumitrascu (“Petitioner”), by and through his attorney of record, Kort A. BeSore of Kort A. BeSore, PLLC, and, pursuant to L.Cv.R. 7.2(n), submits this notice of matters submitted for decision for more than ninety (90) days. In support of same, Petitioner shows the Court the following:

1. This action is one for the dissolution of the parties’ marriage, and for relief ancillary thereto, removed to this Court from the District Court of Delaware County, State of Oklahoma, on October 2, 2015, by Respondent/Defendant, Cristina Mirela Dumitrascu (“Respondent”). *See*, Notice of Removal - [Docket No. 1].

2. On November 2, 2015, Petitioner filed his Motion for Remand to State Court and Brief in Support.¹ [Docket No. 7].

3. On November 23, 2015, Respondent filed her Response in Opposition to Motion to Remand. [Docket No. 11]. On December 7, 2015, Petitioner filed his Reply to Respondent's Response in Opposition to Motion to Remand. [Docket No. 14]. As of December 7, 2015,

¹ This Motion was timely filed pursuant to 28 U.S.C. §1447(c) and Fed.R.Civ.P. 6(a)(1)(C) because the 30th day (November 1) fell on a Sunday.

Petitioner's Motion to Remand [Docket No. 7] was fully briefed, at issue, and submitted for decision.²

4. On August 6, 2016, Respondent filed a Motion to Vacate Order/Judgment³ [Docket No. 20]. On August 26, 2016, Petitioner filed his Response in Opposition to Motion to Vacate Order/Judgment. [Docket No. 22]. On September 6, 2016, Respondent filed her Reply to Response in Opposition to Motion to Vacate Order/Judgment. [Docket No. 23]. As of September 6, 2016, the Motion to Vacate Order/Judgment was fully briefed, at issue, and submitted for decision.

5. More than ninety (90) days have passed since Petitioner's Motion for Remand to State Court [Docket No. 7] and Respondent's Motion to Vacate Order/Judgment [Docket No. 20] were submitted for decision.

WHEREFORE, Petitioner, Ionel Samueal Dumitrascu, pursuant to L.Cv.R. 7.2(n) hereby gives notice of matters submitted for decision for more than ninety (90) days.

Respectfully submitted,

/s/ Kort A. BeSore

Kort A. BeSore, OBA #14674

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ATTORNEY FOR PETITIONER

² Respondent, without leave of court, filed a Supplemental Response in Opposition to Motion to Remand on January 7, 2016. [Docket No. 16].

³ This Motion does not address any judgment or order entered by this Court but, rather, appears to constitute a collateral attack on a judgment of the Oklahoma Court of Civil Appeals in the underlying divorce action.

CERTIFICATE OF SERVICE

I hereby certify that on December 28, 2016, I electronically transmitted the foregoing document to the Clerk of the Court using the ECF System for filing and transmittal of a Notice of Electronic filing to the following ECF registrants:

Cristina Mirela Dumitrascu, *Pro se*
Cristina13mama@yahoo.com

I further certify that on December 28, 2016, a true and correct copy of the foregoing was deposited in the United States Mail, postage pre-paid, for delivery to the following individuals who are not ECF registrants:

Bobby C. Ramsey, Esq.
DAVIS & THOMPSON
P.O. Box 487
Jay OK 74346

/s/ Kort A. BeSore